

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT GODINEZ,

Defendant.

No. 2:23-cr-00161-DAD-1

ORDER DENYING WITHOUT PREJUDICE
REQUESTS TO FILE MOTIONS AND
NOTICE UNDER SEAL

(Doc. Nos. 70, 71, 72)

Defendant has requested that he be authorized to file under seal his motions to dismiss for speedy trial violation and to suppress evidence, as well as his notice of a defense “so that the confidential personal information” contained therein “is not available on the public docket.” (Doc. Nos. 70, 71, 72.) Because the requests are not sufficiently supported or limited, they will be denied without prejudice.

All documents filed with the court are presumptively public. *San Jose Mercury News, Inc. v. U.S. Dist. Court*, 187 F.3d 1096, 1103 (9th Cir. 1999). “Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’” *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)).

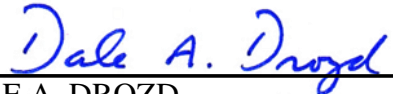
Here, defendant has failed to overcome this presumption in his requests. A cursory review of the two motions and notice that defendant wishes to file under seal reveals that

1 defendant's stated concern can be adequately addressed by redaction or by the filing under seal of
2 a supplement to the motions and notice rather than by wholesale sealing of the entire documents.
3 In this regard, the court notes that defendant's substantive filings are in large part devoted to
4 briefing with respect to the legal standards governing the motions and/or notice. In addition,
5 other straightforward factual background is recounted in those filings. There is no need to file
6 such briefing under seal in order to guard against the concerns raised by defendant. The court
7 therefore declines to litigate these issues entirely under seal and in secret. Defendant may
8 proceed by seeking redaction of the documents as they will appear on the public docket or by
9 filing his motions and/or notice on the public docket and then seeking to supplement them with a
10 filing that he requests be filed under seal.

11 For the reasons explained above, defendant's requests that his motions to dismiss for
12 speedy trial violation and to suppress evidence, as well as his notice of a defense, be filed under
13 seal (Doc. Nos. 70, 71, 72) are denied without prejudice.

14 IT IS SO ORDERED.

15 Dated: April 1, 2025

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17 DALE A. DROZD
18 UNITED STATES DISTRICT JUDGE
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